

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MONADNOCK CONSTRUCTION, INC.,
Plaintiff,

-against-

WESTCHESTER FIRE INSURANCE
COMPANY,

Defendant.

Case No.: 16 CIV 00420 (JBW)(VMS)
ECF Case

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WESTCHESTER FIRE INSURANCE
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and
SARA JAYNE KENNEDY COLOMBO,

Third-Party Defendants.

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**DECLARATION OF JOCELYN WEINSTEIN IN OPPOSITION TO MOTION BY
THIRD-PARTY DEFENDANT GLASSWALL, LLC TO DISMISS THE AMENDED
COMPLAINT**

I, Jocelyn Weinstein, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am an associate at Wachtel Missry LLP, counsel for plaintiff Monadnock Construction, Inc. (“Monadnock” or “Plaintiff”) in the above-captioned action. I submit this declaration in opposition to the motion by third-party defendant, Glasswall, LLC (“Glasswall”), to dismiss the amended complaint.

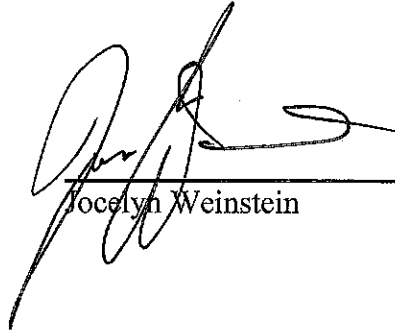
2. Attached hereto as Exhibit A are true, correct and complete copies of Payment and Performance Bond Numbers K08840295 and K08840258, for HPS “Parcel A,” located at, 1-50 50th Avenue, Long Island City, New York 11101 (“Parcel A”), and HPS “Parcel B,” located at, 1-55 Borden Avenue, Long Island City, New York 11101 (“Parcel B”), respectively, listing the

contractor principal as Glasswall, and surety as Westchester Fire Insurance Company.

3. Attached hereto as Exhibit B are true, correct and complete copies of the modified AIA Standard Form Agreements Between Contractor, Monadnock, and Subcontractor, Glasswall, for Parcels A and B.

4. Attached hereto as Exhibit C are true, correct and complete copies of two Florida state court orders staying Florida proceedings among the parties to this action.

Dated: New York, New York
January 9, 2018



Jocelyn Weinstein